

Reporter

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Constitutional Reform

Former PM on 'Crossing the Floor': 'It is a matter of degrees'



Former Prime Minister Rt. Hon. Dean Barrow

"It is a matter of degrees. Maybe you might want to say causing the person to lose their seat in the House of Representatives is going too far, but I would not agree that a Party cannot impose any sanctions at all."

This is how former prime minister Right Honorable Dean Barrow responded to *The Reporter's* question on whether a desired outcome of the ongoing Constitutional Reform process is to have section 59(2)(e) and its related provisions removed from the Belize Constitution.

The Backdrop

The provision, introduced after the Political Reform Commission (PRC) of 2000, reads:

"A member of the House of Representatives

shall also vacate his seat in the House [...] if, having been a candidate of a political party and elected to the House of Representatives as a candidate of that political party, he resigns from that political party or crosses the floor."

In the conventions of parliamentary parlance, "crossing the floor" (anti-defection legislation) speaks to the instance in which the member of a Party, among other things, votes against his own Party's position.

However, in Belize, during the PRC's deliberation two decades ago, it was unclear what definition would be applied.

For context, the PRC's report states:

"In examining the issue, the Commission [PRC of 2000] reviewed the anti-

defection legislation and experience of other nations in the Commonwealth. In this review, it became clear to the Commission that the most critical aspect of developing a recommendation was to decide what exactly constitutes defection or crossing of the floor. Based on the experience of other nations, the definition could include at least the following four scenarios: Elected representatives in the House of Representatives who:

1. Resign from a political party that has seats in the House;
2. Cross the floor and joins another political party in the House;
3. Vote against their political party in the House without party permission;

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Business Senator optimistic about 'Senate Enquiry' Motion into 'Definitive Agreement'

The social partner senators are optimistic that the motion to trigger a Senate Enquiry into the matters surrounding the Definitive Agreement will receive sufficient support in Parliament next week, Business Senator Kevin Herrera told *The Reporter* Thursday.

The senate's power for such enquiries are established at section 61A(2)(d) of the Constitution of Belize, which reads:

"The powers and functions of the Senate referred to in subsection (1) are of this section as follows [...] instituting and conducting enquiries and investigations on any matter of public

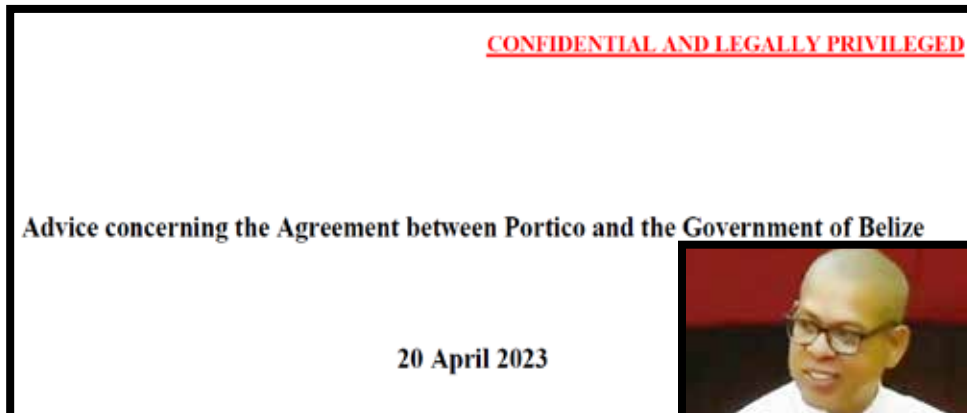
interest or importance, including inquiries into mismanagement or corruption by persons in the central government or public statutory bodies."

Herrera told this newspaper that based on the feedback he has received, thus far, from his senate colleagues, he is anticipating support from all entities represented

in the Senate, including the government's representatives and the Opposition.

The term of reference for the enquiry lists several functions, which includes the mandate to:

"To conduct an independent and impartial investigation and inquiry into the signing of the document titled

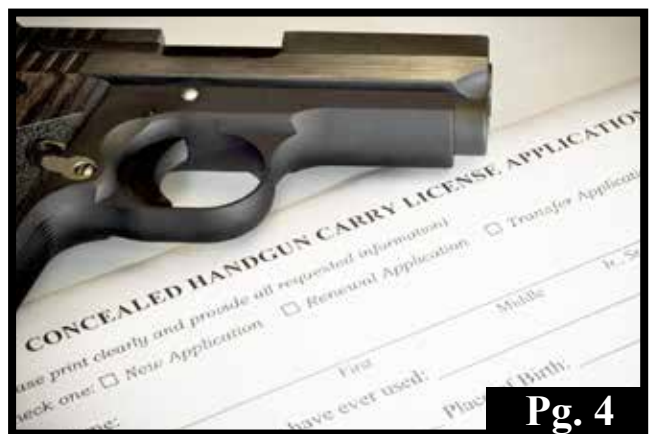


Sen. Kevin Herrera

'Definitive Agreement, by and between the Government of Belize and Portico Enterprises

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LOO not impressed by Firearms and Ammunition Control Board proposal



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BNTU President Ruth Shoman

MOECST throws support behind Shoman



Safeguarding the human rights of migrants

Every now and then we get a dramatic and compelling example of the value of the Freedom of the Press. A dramatic and compelling example comes from Channel Seven News, which has scored a scoop in revealing details about the Definitive Agreement with the company, Portico.

Few people in the Briceño government knew of the legal opinion of K.C. Ben Juratowich, Belize's leading attorney at the ICJ, who in April this year wrote a legal brief exposing the Definitive Agreement as illegal and unenforceable.

This revelation has shaken the Briceño government's political capital to some degree because it shows that despite the Juratowich advice, the Briceño Government continued to pursue a plan to have the agreement ratified by Parliament. Of course, it must be stated that it is a matter of public record that Juratowich was not the only source of legal advice. Actually, it was Minister of Education and Freetown Area Representative Hon. Francis Fonseca who told the nation in a recent House Sitting the following:

"Mendes has advised that based on his portfolio and having regard to relevant case law, Minister Contreras, as he then was, had the implied and ostensible authority to execute the definitive agreement. Now that advice is an opinion. It is not a judicial pronouncement. And it is only a judicial pronouncement that definitively makes clear whether the UDP agreement is valid and binding."

This Newspaper would agree with the point that only a judicial pronouncement could declare whether something is indeed valid. However, Fonseca had continued, saying, "As Mr. Mendes advised, whether we like it or not, the agreement represents a potential legal liability to the government of Belize. Until otherwise established by a court of law. So, the Ministry of Finance Economic Development and Investment had a duty and obligation to bring the matter before the Cabinet for discussion and review."

Apart from the Attorney General's ministry, the Government appears to have obtained *at least* two independent opinions: The Mendes and the Juratowich opinions, but only one was discussed publicly. The other is on account of revelations via the Free Press.

This entire matter began with the media reporting on a leaked Cabinet Confidential. And as the media continues to shine a light on the matter, additional findings emerge—with the Juratowich opinion being among the more recent disclosure.

But this is not the first time the media has performed its duty as the Fourth Estate. We saw this with the "Passport and Visa" scandal; the well-documented Novelos debacle; and many other matters held under the scrutiny of the media.

In every case, the Free Press in Belize exercised a role in bringing these "anomalies" to the attention of the public.

Without the Free Press, who knows what other monstrous deals would have been perpetrated against the city and against the state, and the People of Belize!

These are powerful reminders that the Free Press in Belize must be kept alive at all costs. And this is important for the People's Constitution Commission and the Belizean people to hold sacred as the nation contemplates recommendations for a new or amended constitution for Belize. It is imperative that we all preserve the necessary guarantees for a Free Press.

The Human Rights Commission of Belize this week concluded a series of training with police officers, and immigration and border management personnel. Fifty-five participants attended trainings that aim to create an empowering environment for safeguarding the human rights of refugees and migrants who enter Belize. Topics covered include migration, use of force, human trafficking, the Belize Constitution, fundamental rights, the Belize Refugees Act and migrant rights (mixed movements).

The Latin America and Caribbean region continue to see migration trends grow increasingly complex over the last decade, bringing with it new challenges for states like Belize. Data shows that by 2020 the region hosted some fifteen million migrants, double the data from 1990. The government reports that just over sixty thousand migrants are living in Belize. They come primarily from Guatemala,

Hondurans and El Salvador fleeing other forms of violence such as gender-based violence while others are looking for a better standard of living for their families.

Presently, a little over four thousand refugees and asylum seekers are in Belize, and come primarily from El Salvador, Honduras and Guatemala. Their vulnerability places them most at risk for trafficking, sexual exploitation, and other human rights violations. The Commission believes that proper screening would allow for better referrals to local entities that best assist individuals to receive specified services to meet specific needs of migrants and refugees.

The project, which is funded by the Embassy of Switzerland to Mexico and Belize, aims to create a better understanding of human rights and international human rights laws. This can help foster a safer and more dignified migratory procedure, creating a safer environment for protecting individuals under our local laws,

such as the Belize Refugee Act, which is guided by the International Refugee Convention.

Another component of the project includes work within border communities along the western border. The Commission hopes to educate the beneficiaries on how these rights and laws can be applied to ensure that all persons are treated with respect and dignity and ensure their human rights are not violated in whatever process they face.

Again, the Commission is not seeking to defend any offences committed, but seeks only to ensure that these persons' human rights are respected and upheld and that they are allowed due process under Belize laws. The Universal Declaration of Human Rights speaks to these rights. Articles

13, 14, and 15 of the Declaration of Human Rights specifically address internal and external migration and national identity. Article 13 guarantees freedom of movement. Article 14 grants the right to seek and enjoy asylum from persecution, and Article 15 speaks to everyone's right to a nationality.

The project continues with other activities within border communities along the western border. The training was facilitated by members of the Board of Directors of the Commission.

Disclaimer: the opinions expressed by our columnists are theirs alone, and are not necessarily reflective of the newspaper's stance on the issues touched. We believe it is critical that our columnists be allowed freedom to generate discussion through their expressions on any number of topics.

THE REPORTER

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Constitutional Reform...

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4. Abstain from voting with their political party in the House without party permission."

The records show that the PRC Commissioners agreed unanimously on points numbers 1 and 2, but were unable to settle on the last two (number 3 and 4).

Importantly, the PRC's recommendation was for specific legislation to have been provided that would delineate the conditions of crossing the floor. This, however, has never occurred, and the change was only made at section 59(2) of the Constitution.

Removing the Whip

Returning to The Reporter's interview with former Prime Minister Hon. Dean Barrow, he opined that he would not call for the complete removal of the Crossing-the-Floor (CtF) provision, but could concede that a softer sanction could be considered.

"Even if you remove the Crossing the Floor [from the Constitution],

the Party can 'Remove the Whip' from those who vote against their Party," Barrow underscored.

He added that it is difficult for him to envision a system that would not afford political parties in Parliament any means to sanction their own members of Parliament

who "vote against their own party."

Barrow's reference to "Removing the Whip" speaks to a practice seen in other Parliamentary Democracies such as the United Kingdom where members who vote against their party's position do not lose their seat in Parliament but are essentially ostracized

from their own party as a form of discipline. The Member of Parliament would then be classified as an "independent"—not affiliated with any party in Parliament.

The Free Vote

Barrow argued that the idea to change section 59(2)(e) is not something that he can see resulting in any real

and material change. "If you operate it maturely, the Government should allow a free vote," said Barrow.

The free vote is also known as the conscience vote, where area representatives are granted the license to vote as they please during a division of the House.

Barrow also reminded that even with the current provision there is still a process through

which any party and the member in question must go through before an action is formally declared as a scenario constituting "crossing the floor."

Fundamentally, it is yet to be seen what the Belizean people's input and recommendations to the People's Constitution Commission, will be (if any) as it pertains to this clause in the country's supreme law that was introduced via the PRC.

Business Senator optimistic about 'Senate Enquiry' Motion into 'Definitive Agreement'

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Ltd (dba) the Port of Magical Belize' and dated October 2020, to determine which, if any, established procedures and/or investment policy were followed."

The Motion also seeks to investigate and to 'determine what advice, policy or basis the Cabinet relied upon to establish the validity of the document titled 'Definitive Agreement, by and between the Government of Belize and Portico Enterprises Ltd (dba) the Port of Magical Belize,' dated October 2020."

The Juratowitch Legal Opinion

This latter objective should prove most interesting in light of the recent revelation that at least two separate and independent legal opinions had been obtained by the government, one of which is from Dr. Ben Juratowitch, a familiar name given his role as part of the country's legal team before the International Court of Justice on the Territorial Dispute.

Juratowitch, who looks at core questions as to whether or not the former Minister Erwin Contreras had any authority to sign the agreement, also articulated a similar

position to one *The Reporter* had reported in early June: That is, that the Executive Branch cannot fetter or bind the hands of the legislature.

Juratowitch, citing relevant case precedent, wrote:

"Nonetheless ... it is in my opinion clear that on all of the potential approaches to the question envisaged ... the Agreement is unenforceable for illegality. This is because in it the Executive purports to reach a contractual agreement with a private party that the Legislature will pass legislation of particular content. This is contrary to the fundamental principle of the separation of powers between the Executive and Legislature as enshrined in the Constitution of Belize and upheld by the CCJ in cases concerning Belize."

As stated earlier, this position is similar to that former Prime Minister Hon. Dean Barrow communicated to The Reporter in early June.

According to Barrow, who is also a senior counsel, case precedents such as Claim No. 404 of 2007 already demonstrated in Belize's Supreme Court that government ministers,

including the prime minister, cannot place restrictions or demands, per se, on Parliament; thereby, making agreements like the Portico (Port of Magical Belize) document unenforceable.

Barrow's reference to Claim No. 404 of 2007 speaks to a matter raised by the Port of Belize Limited (claimant) against the Government of Belize regarding certain agreements that the Port of Belize Limited (PBL) argued that the Government breached and failed to fulfill.

Barrow reminded that the judge's ruling in that matter (and others like it) provides sufficient guidance as to how to handle the present Definitive Agreement because those earlier cases established, as a matter of legal principle, that the Executive Branch of Government, inter alia, cannot fetter or bind the hands of Parliament.

Barrow, quoting the 2007 case, said:

"The court could, where it finds that the agreements purported to fetter future power of the legislature to legislate, arrive at a conclusion that the undertaking to enact legislation is unenforceable because it is ultra vires the Executive

Government, contrary to public policy and usurpation of the functions of the legislature.

"As such, I [Justice Minnet Hafiz Bertram] respectfully disagree with Learned Counsel for the Claimants that the Defendant cannot rely on this argument because it was not pleaded."

He also quoted another section of that earlier judgment: "I [Justice Hafiz Bertram] agree with the Defendant that the undertaking by the Minister to enact legislation purports to fetter the power of the legislature to legislate.

"The Minister cannot validly enter into a contract that fetters the power of the legislature to legislate. Further, the agreement is beyond the powers of the executive to legislate. The rule against fettering applies to a clash between a contract and future legislation. It is not possible for a Government to bind itself by contract either to legislate or not to legislate on a particular matter in the future."

In concluding the 2007 case, Justice Minnet Hafiz Bertram found that the government (the Defendant) did not breach any agreement for, among other things, the reasons already cited.



VACANCIES

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Atlantic Bank Ltd. continues to grow and expand its products and services. We are seeking qualified, dynamic professionals who want to grow and develop their careers.

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Atlantic Bank Ltd.
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ablcareer@atlabank.com

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FIRST NOTICE

Pursuant to Section 10 (3) of the Belize Mines and Minerals Act, Chapter 226, Substantive Laws of Belize, Revised Edition 2011, **Errol Haynes of Haynesec Ltd., Belize City, Belize C.A.**, has applied to the Honourable Minister of Natural Resources, Petroleum and Mining, through the Inspector of Mines, Mining Unit for a **renewal of Mining License No. 4 of 2018, for the extraction of sand and gravel from an area of the Sibun River in the Adams Eddy area, Belize District, Belize C.A.**

The area to be mined is located at UTM co-ordinates:

Bar	Northings	Eastings	Bar	Northings	Eastings
1)	1907895	331406	7)	1908867	332061
2)	1908061	331255	8)	1909268	332470
3)	1908204	331259	9)	1909411	332613
4)	1908411	331434	10)	1909776	332978
5)	1908510	331569	11)	1910165	333105
6)	1908613	331720	12)	1910633	332982

The area to be mined comprises approximately twelve (12) acres.

MOECST throws support behind Shoman

By Michelle Sutherland

The Ministry of Education Culture, Science and Technology has issued a press release expressing their recognition of Ruth Shoman's appointment as President of the Belize National Teachers Union (BNTU).

The ministry's release comes amid objections from a BNTU faction that has taken issue with Shoman's past.

The MOECST, in their release, said that they welcomed Shoman in her new role as president of the BNTU and "look forward to a constructive, respectful and productive working partnership with Shoman, the Executive Committee, and the Council of Management."

Since taking up the post on July 1st, 2023, there have been several attempts by a handful of BNTU's members attempting to remove her from the position. The group has circulated a petition among members, sought legal advice on the matter, and is reportedly preparing to file a claim in the courts seeking judicial review on Shoman's appointment.

Last week, the group of concerned BNTU members issued a press release saying, "At the 59th Belize National Teachers Union (BNTU) Annual Convention held on April 13th, 2023, a significant decision was made by 356 members in attendance who voted in favor of Ruth Shoman as the next president of the BNTU. Regrettably, it has come to our attention that this decision was made without the crucial knowledge of certain disqualifying factors pertaining to Mrs. Shoman's background and her criminal history."

The group was referring to charges of theft that were brought against Shoman under her maiden name Ruth Guerra in which she was accused and later admitted to stealing \$110,000 from Island Makers Limited and Belize Yacht Club in San Pedro. Those charges dated back to 1998, however, in 2000 the Supreme Court ordered Shoman to repay \$81,028.

These revelations have led the group to opine that "these criminal charges and admission raise significant concerns about the ethics and professional conduct

expected of a president of the BNTU."

Furthermore, the group went on to cite Rule No. 3 of the BNTU's Constitution which states: "After due process, the Union, by decision of Council, may cancel the membership of persons who (i) violate the ethical and professional code laid down by the Union; or (ii) are convicted of criminal offenses or grave professional misconduct."

The group also referred to section A (1) which mandates that a member of the union be employed in the educational sector whether public or private. The group says that they are questioning Guerra's claims that she is employed in the United States because she has yet to provide any official documentation solidifying her claims.

Shoman took over the presidency reigns from Elena Smith.

LOO not impressed by Firearms and Ammunition Control Board proposal

By Michelle Sutherland

Leader of the Opposition (LOO) Moses "Shyne" Barrow says that although he welcomes the announcement of a Firearms and Ammunition Control Board to oversee and regulate the use of firearms and ammunition in the country, he feels that there is still more that needs to be done to ensure full accountability and transparency in the process.

On Thursday, Barrow told The Reporter, "It was the Opposition, media pressure (in particular 7News' Jules Vasquez's special investigation), and whistleblowers bringing about potential meaningful change. However, we need to review the regulations

governing the 'control board' before we can be fully satisfied."

Regulations which he says will need to assure accountability and transparency.

Barrows' comments follow a Cabinet briefing which was published on Thursday which announced that Cabinet had considered and approved the establishment of a Firearms and Ammunition Control Board. This new entity would be tasked with receiving, considering, and processing firearm applications.

It will also provide regulations and criteria for the approval of firearms licensing, including training and certification of license holders.

The Cabinet brief

also confirmed that there are plans in the pipeline to develop a plan for the digitization of a firearms and ammunition licensing system to replace the current manual system.

The announcement comes following reports of police officers being involved in the sale of gun licenses, which in some instances involve persons of questionable character.

In one instance, the Commissioner of Police Chester Williams had confirmed that while his signature was on one of the licenses, the vetting process seemingly had been tampered with. He claimed that a false vetting application had ended up in the files and as such no one was ever charged.

Cabinet Brief

Belmopan, 6th July 2023.

The Cabinet, chaired by Prime Minister Hon. John Briceño, met on 4th July 2023.

Cabinet considered and approved the establishment of a Firearms and Ammunition Control Board to receive, consider and process firearm applications; to provide regulations and criteria for the approval of firearms licensing, including training and certification of license holders; and to develop a plan for the digitization of a firearms and ammunition licensing system to replace the current manual system.

Through a Vital Statistics Unit mobile clinic in Santa Cruz Village in Southern Belize, more than 1,300 Belizeans were able to successfully apply for and obtain vital documents. Building on the success of this mobile clinic and aware of the fact that many persons have been unable to provide proof of their Belizean nationality, Cabinet requested that the Attorney General's Ministry propose an appropriate mechanism to assist undocumented Belizeans in regularizing their status as citizens.

Every child born in Belize has the inalienable right to Belizean nationality and birth registration. Mindful of this, Cabinet requested that the Attorney General's Ministry, through the Vital Statistics Unit and with the Ministry of Health & Wellness, coordinates to develop a mechanism for more efficient birth registration.

In February, Cabinet approved a waiver of duties and taxes on female sanitary products. In pursuance of its obligations as a member of the CARICOM Single Market and Economy, government requested a waiver from the CARICOM Council for Trade and Economic Development to waive the Common External Tariff (CET) on female sanitary products. Approval was granted for the suspension of the CET on sanitary towels and napkins for one year and tampons for two years. Government will now update the necessary regulations to reflect the zero-rating of duties on these products.

In an effort to bring Belize into full compliance with its obligations under the CARIFORUM-EU and CARIFORUM-UK economic partnership agreements, Cabinet gave its approval for the 10th phasedown tariff reduction and recommended that the matter be introduced at the next sitting of the House of Representatives.

Finally, Cabinet reminds Belizeans that we are in the hurricane season and as such should be prepared and remain alert.

VACANCY



NOTICE

Security Officer

Applications are invited from suitably qualified persons to fill the following post in the Security Department. In the Port's continued effort to promote diversity both males/females, able/ differently abled are encouraged to apply for the available post.

Reports to: Chief Security & Safety Officer

Summary of Responsibilities: Ensuring the safety and security of designated properties, assets, personnel, and visitors. Responsibilities include patrolling the premises, setting up security controls, monitoring property access, investigating suspicious behavior, and enforcing company policies.

Primary Responsibilities:

- Patrol of Pier, Transit Sheds, Compounds, Office, Low Berth etc. as instructed
- Control of Entry and exit points of Facility
- Surveillance of cargo from ship to delivery
- Deposits to the banks
- You are to be verse with the Port of Belize Limited Surveillance System & Security Manual
- Any other duties of a related nature assigned from time to time.

18.2 of the ISPS – Code Port facility personnel having specific security duties should have knowledge and receive training in some or all of the following, as appropriate:

- knowledge of current security threats and patterns;
- recognition and detection of weapons, dangerous substances and devices;
- recognition of characteristics and behavioral patterns of persons who are likely to threaten security;
- techniques used to circumvent security measures;
- crowd management and control techniques;
- security-related communication;
- operations of security equipment and systems;
- testing, calibration and maintenance of security equipment and systems;
- inspection, control, and monitoring techniques, and
- methods of physical searches of persons, personal effects, baggage, cargo, and ship's stores.

Job Qualifications/Requirement:

- A High School diploma, with 3 years experience in Security Officer field.
- Must possess a valid driver's license.
- Computer literate.
- Knowledge of Laws & regulations
- Working Knowledge of public safety
- Security operation & procedures

Skills/Competencies:

- Ability to work independently.
- Team oriented, ethical, and punctual (On Call)
- Good communication skills
- Strong reporting skills

Compensation Package: Will be commensurate (in accordance with the Company's Salary Structure).

To apply: Provide updated resume, cover letter (addressed to Human Resource Manager), copy of valid social security card, valid police report, name and phone number of two(2) previous employers.

Email to:

jobapplication@portofbelize.com

Closing date for receipt of applications is Friday, July 14, 2023.



www.centralbank.org.bz

PUBLIC NOTICE

FOR IMMEDIATE RELEASE

Notice of Special Meeting for Members of St. Francis Xavier Credit Union Ltd.

Belize City, 21 June 2023: Members of St. Francis Xavier Credit Union Ltd. (SFXCU) are notified of a special meeting to be held on Sunday, 9 July 2023. The Governor of the Central Bank of Belize, in his capacity as Registrar of Credit Unions (Registrar), has approved for Mr. Martin Marshalleck, the appointed Administrator to SFXCU, to call this special meeting in accordance with section 61(8) of the Credit Unions Act (CUA). Further meeting details will be published by the SFXCU Administrator forthwith.

This special meeting is being called to update the credit union's membership on the affairs of the credit union and the steps taken to protect their interests. The external auditor's report, which covers all the areas identified in the recent examinations and the special investigations conducted on SFXCU, will also be presented.

The Registrar appointed the Administrator to SFXCU on 10 March 2023, and since then, the credit union has continued to operate normally without interruption. The primary function of the Administrator is to manage and operate the credit union in accordance with the CUA, the by-laws, and its policies and procedures. Additionally, the Administrator is charged with the responsibility to consider and implement prudent corrective measures, necessary to remedy issues identified by the Registrar.

SFXCU's members are urged to attend this important meeting, as the Administrator and staff of the credit union will report on their work to protect members' interests.

- ENDS -

ISSUED BY:
THE OFFICE OF THE GOVERNOR
CENTRAL BANK OF BELIZE

1 GABOUREL LANE.
BELIZE CITY, BELIZE
T: +501 223 6194

Weh Wi Ga Fi Seh

*How 2023 di goh?
Gi tanks evriday:
tee, dina, tee.*

Joon Di Don, Bot Noh Harikayn

Yes, Joon mont di seh bai-bai. Now, memba seh Joon da jos di fos mont a di harikayn seezn. Soh, noh di let dong yu gyaad! Unu don ga unu harikayn plan? If yu hafu moav wen harikayn di kohn, yu noa wehpaay yu gwehn? Stay sayf, evribadi. Noa weh yu wahn du—ahn noa fahn now, noh di sata ahn wayt!

Misa Jaymz bil wahn hai opstayz hows in kays harikayn kohn ahn waata rayz.

Mr. James built a house high off the ground in case a hurricane comes and the flood water rises.

Wen harikayn di kohn, pipi yooz plaiwud fi boad op dehn winda. When hurricanes are coming, people use plywood to board up their windows.

Wahn big harikayn mi brok op Poat Laiyoala eena 1931. A big hurricane broke up Port Loyola in 1931.

Weh harikayn brok op di pyaa, no way neva deh fi mek di boat dehn dak.

Because the hurricane broke up the pier, there was no place to dock the boats.

Red Kraas midi rashan owt food tu evribadi afta di harikayn. Red Cross was distributing food to everybody after the hurricane.

Harikayn rashan kohn fahn Stayts fi gi aal dehn wan weh noh ga notn fi eet.

Hurricane rations came from the States for all those who didn't have anything to eat.

Dehn di tel evribadi weh liv da see front fi moov wen harikayn di kohn. They are telling everybody who lives on the coast to move when a hurricane is coming.

If yu waahn sen een sohnting fu put eena dis Kriol aatiki, eemayl: sudz142@gmail.com Pahn tap, yu ku vizit: www.nationalkriolcouncil.org

Individual Consultancy – Transport Planner



Type of Location: Consultant will be stationed and work in the Department of Transport under the Ministry of Youth, Sports, and Transport.

Expected Duration of Assignment: One Year with possibility of extension subject Finance and Performance evaluation

Background:

In 2019, the Government of Belize in partnership with the United Nations Development Fund, funded by the European Union, signed an agreement to facilitate transformation within Belize's Transportation Sector through the enabling of low carbon means of transportation. The ambition is to establish the foundation for further investments in e-mobility as a part of system transformation. Foundational work undertaken through this initiative is expected to contribute to NDC/ Leds implementation, ultimately enabling the deployment of 77 hybrid and electric buses by 2030 (17 by 2025) and the avoidance of 117 KtCO₂e/year from the transport sector by 2030. To this end, The Department of Transport is seeking a Transport Planner to support the implementation of the short-term transportation reforms needed to strengthen the capacity of the Ministry of Transport and transform the public transportation sector through piloting of e-mobility within Belize.

Objectives, Duties and Responsibilities:

The Transport Planner is required to develop, administer, evaluate, and monitor transportation plans, programs, and projects, specifically the EU funded project- Piloting e-mobility within Belize's Public Transport System. The Planner will participate in policy development and implementation and identifies emerging needs to help facilitate the growth and transformation of the sector. The Planner is expected to foster teamwork and display the communications skills required to interact productively with senior and junior personnel within the Department of Transport, as well as representatives of outside agencies and organizations. The planner will provide overall support to the Chief Transport Officer in addition to other duties such as the management, research, and development of strategies surrounding transportation planning for the E-mobility pilot project.

- Provide technical expertise within the project framework and support the review of existing regulations, policies, and standards.
- Support implementation of the inter-city pilot project.
- Support the establishment of a web-based knowledge management platform to facilitate the sharing of expertise information and experiences in the transport sector.
- Support the use of an electronic platform capable of monitoring and analyzing real-world ranges achieved vs. the manufacturer's range predictions of electric vehicles utilized within the project pilot.
- In conjunction with the communication team at the Ministry of Public Utilities, Energy, Logistics and E-governance, support the launch of a joint communication campaign.
- Lead the development of a National Transport Sector Transformation Strategy and Action Plan.
- Responsible for the management and coordination of day-to-day implementation of the e-mobility pilot project within the Department of Transport.
- Provide any additional support to Chief Transport Officer as it relates to advancing project objectives and the goals within the Department of Transport

Expected Outputs and Deliverables

Monthly Deliverable: As detailed in the Terms of Reference

Qualification, Experience and Skills:

- A University degree in Transportation planning, engineering, policy or any other related field.
- At least 3 years of demonstrable project/programme management experience or experience in managerial position or filed research position. Must be self-motivated, self-directed and team oriented.
- At least 5 years of experience working with ministries, national or provincial institutions that are concerned with natural resource and/or environmental management.
- Knowledge of transportation systems and the transport sector in Belize including some knowledge of electric mobility
- Training in Planning, Policy Development or Monitoring and Evaluation.
- Ability to identify strategic issues, opportunities, risks, and communicate broad and compelling organizational direction in respect of the project.
- Ability to apply statistical tools to data, in preparing reports and in collecting demographics and statistics.
- Possesses good analytical, interpersonal, and oral and written communication skills.
- Advanced MS Office skills.

Information Link:

https://procurement-notices.undp.org/view_negotiation.cfm?nego_id=7305

or <https://www.ungm.org/Public/Notice/204195>

Submission of Application Package:

This specific tender is managed via the new supplier portal system of UNDP. If you are interested in submitting a bid for this tender, you must subscribe following the instructions in the user guide. If you have not registered a profile with this system, you can do so by following the link for Supplier Registration.

If you already have a supplier profile, please login to the Supplier Portal, then search for the negotiation using the reference number UNDP-BLZ-00021, following the instructions in the user guide.

Deadline for Application: Extended to **Wednesday, July 12th, 2023, at 2:00 p.m.**

UNDP is committed to achieving workforce diversity in terms of gender, nationality, and culture. Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All submissions will be treated with the strictest of confidence.

UNDP does not tolerate sexual exploitation and abuse, any kind of harassment, including sexual harassment, and discrimination.

Basic food basket of regulated goods expanded from 9 to 43

By Michelle Sutherland

The rising cost of living has prompted the Government of Belize to carry through with its promise to expand the list of regulated food items from nine to 43 items.

The announcement was made at last week's sitting of the House of Representatives by the Minister of Human Development Dolores Balderamos Garcia, who explained that the move was in an effort to alleviate the rising cost of living among Belizeans.

Garcia explained that under the Supplies Control Act, "All 30 food items will be regulated with a maximum retail markup of 15%. These food items are butter, evaporated milk, eggs, baby cereal, infant formula, creamers, cocoa powder, corn flour, other beans in addition to red kidney beans, oats, cereal and cornflakes, chicken sausages, corn beef, tuna, baking powder,

yeast, cooking oil, shortening, chicken cuts, ground beef, carrots onion, cabbage, sweet pepper, potato, tomato, macaroni and cheese, peanut butter, condensed milk, and the five gallons bottled water."


A total of 13 non-food items, which will only be allowed to have a 20% retail markup, were also added to the list. These include hygiene products for females, rubbing alcohol, bar soap, toilet paper, soap powder, fabric softener, liquid detergent, deodorant, baby oil, petroleum jelly, diapers, baby wipes, and toothpaste.

In an effort to prevent Belizean's purchasing power from eroding any further, the Supplies Control Unit under the Ministry of Agriculture has been tasked with the enforcement and monitoring of these new regulations. The Ministry is also asking Belizeans to be wary of the new prices and to report any price gouging to the Supplies Control Unit.

30 FOOD ITEMS TO BE REGULATED WITH A MAXIMUM RETAIL MARK-UP OF 15% :

BUTTER EVAPORATED MILK EGGS BABY CEREAL INFANT FORMULA CREAMERS COCOA POWDER CORN FLOUR OTHER BEANS OATS	CEREAL/CORN FLAKES CHICKEN SAUSAGE CORNED BEEF TUNA BAKING POWDER YEAST COOKING OIL SHORTENING CHICKEN CUTS GROUND BEEF CARROTS	ONIONS CABBAGE SWEET PEPPER POTATO TOMATO MACARONI & CHEESE PEANUT BUTTER CONDENSED MILK FIVE-GALLON BOTTLED WATER
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#7 Central American Blvd
Belize City, Belize

+501-222-4757 Ext. 1408

pr@bws.com.bz

www.bws.bz

NOTICE TO MINORITY SHAREHOLDERS

No.: 202306-23-1

ANNUAL GENERAL MEETING:

Notice is hereby given that the 22nd Annual General Meeting of Belize Water Services Limited (BWS) will be held at the SCA Mercy Center Auditorium on Friday, August 25, 2023, commencing at 7:00 p.m.

Shareholders who wish to appoint a proxy, may submit written questions to shareholderinfo@bws.com.bz by 3:00 p.m. on Monday August 21, 2023.


DIVIDENDS:

The Board of Directors of BWS is pleased to announce dividends of 7.5 cents (\$0.075) per share (equivalent to 5%) for the year ending March 31, 2023.

Shareholders are reminded that this year's dividend payments are being paid via direct deposit to your bank or credit union account. If you have not yet provided BWS with your banking information, please email, call or WhatsApp message us to obtain the banking update form. The completed form must be returned to BWS no later than Monday July 17, 2023. Direct Deposit payments will be processed by August 11, 2023.

For shareholder information, kindly contact us at:
Email: shareholderinfo@bws.com.bz; **Telephone:** +501-222-5155; or send a **WhatsApp** message to 613-5382.

BWS: Delivering Water and More...



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ANUNCIO PÚBLICO

PARA PUBLICACIÓN INMEDIATA

Convocatoria de reunión Especial para los Miembros de St. Francis Xavier Credit Union Limited

Belize City, 21 de junio de 2023: Se les notifica a los miembros de St. Francis Xavier Credit Union Ltd. (SFXCU) que se llevará a cabo una reunión especial el día domingo 9 de julio de 2023. El Gobernador de Central Bank of Belize, en su capacidad de Registrador de Uniones de Crédito (Registrador), ha aprobado que el Sr. Martin Marshall, Administrador designado de SFXCU, convoque esta reunión especial en conformidad con la sección 61(8) de la Ley de Uniones de Crédito (Credit Unions Act (CUA)). El administrador de SFXCU publicará más detalles de la reunión.

Esta reunión especial se convoca para poner al día a los miembros de la unión de crédito sobre los asuntos de la misma y las medidas adoptadas para proteger sus intereses. También se presentará el informe del auditor externo, que cubre todas las áreas identificadas en las recientes inspecciones e investigaciones especiales llevadas a cabo en SFXCU.

El Registrador nombró al Administrador de SFXCU el 10 de marzo de 2023 y, desde entonces, la unión de crédito ha seguido funcionando sin interrupción. La función principal del Administrador es gestionar y operar la unión de crédito en conformidad con la CUA, los estatutos y sus pólizas y procesos. Adicionalmente, el Administrador tiene la responsabilidad de considerar e implementar medidas correctivas prudentes, necesarias para remediar los problemas identificados por el Registrador.

Se les pide a los miembros de SFXCU a asistir a esta importante reunión, ya que el Administrador y el personal de la unión de crédito informarán sobre el trabajo que se lleva a cabo para proteger los intereses de los miembros.

- FIN -

PUBLICADO POR:
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BELIZE CITY, BELIZE
T: +501 223 6194

LOO questions Collett Montejo's role in redistricting exercise, allege gerrymandering

By Michelle Sutherland



Hon. Moses "Shyne" Barrow

Leader of the Opposition (LOO), Moses "Shyne" Barrow has criticized the redistricting proposal that has been put forward by the redistricting task force, and in so doing has accused the People's United Party (PUP) of gerrymandering.

Barrow, in a 17-minute video recording—which appears to be based on what he was prevented from saying the last Sitting of the House of Representative—said that even before the exercise had commenced, the opposition had raised the issue of having the PUP Senator and Deputy Secretary General Collet Montejo lead the exercise, even requesting that he be removed.

"We objected to Collett Montejo's appointment and even wrote the GG [Governor General] to vehemently oppose such a partisan figure contaminating what must be a nonpartisan undertaking to protect against the very gerrymandering we see now and its consequent injustices," Barrow recalled.

Injustices he says that can now be

seen in some of the proposals that have been submitted. Proposals that he says are undermining democracy and denying the Belizean public free and equal representation.

"There is no greater example of gerrymandering than what the Collet Montejo task force has proposed to do in Fort George, Belize Rural South, and Albert.

"In an attempt to prevent the member from Fort George who happens to be the chairman of the PUP and the minister responsible

for elections and boundaries from losing his constituency to his brother the member from Caribbean Shore, the task force has proposed to go across the Caribbean Sea to Belize Rural South and take Caye Caulker and St George's Caye to merge with Fort George and then go across the Belize River from north side to the south side constituency of Albert where they propose to subtract all of polling area 10 and some of the polling area 16 to add to Fort George."

Barrow argued that the Caye Caulker constituency apart from being an island does not have anything in common with Fort George, as does the Albert constituency which does not bore any similarities with Fort George.

Barrow said that after deliberation, the opposition, wary of the need for equal representation, recommends the merging of Mesopotamia and Queen Square, as well as half of Port Loyola with Albert and the remaining portion with the Collet Constituency.

Barrow is also proposing the merging of Fort George with a portion of Caribbean Shores. The remaining portion will go to Freetown. This, according to Barrow, will reduce the total number of constituencies in the Belize District from 13 to 11.

The task force is expected to present its recommendations to the Belize Progressive Party on July 17th and to parliament on or before July 31st.

The Opposition's Original Opposition to Montejo Appointment

The Reporter had originally covered

the matter last June. At the time, UDP Chairman Michael Peyrefitte, speaking at a press conference, cited Section 63(1)(f) of the Constitution of Belize, which reads:

"No person shall be qualified to be appointed as a Senator who ... is disqualified for membership of the House of Representative by any law by reason of his holding, or acting in, any office the functions of which involve; (i) any responsibility for, or in connection with, the conduct of any election; or (ii) any responsibility for the compilation or revision of any electoral register."

According to Peyrefitte, Montejo is in breach of this section of the Constitution. "This man has taken on a job to do that exact same thing. He needs to resign from the Senate if he wants to do that job," he stressed.

For his part, last year, Barrow called Montejo's appointment "another assault on our democracy" that seeks to disenfranchise Belizeans. According to Barrow, Montejo, in his capacity as a senator, cannot be seen as an objective person and went as far as to question whether Montejo would be able to accomplish the redistricting task with equal representation in mind.

"Mr. Montejo is as partisan as it

comes, and that is why the Elections and Boundaries Commission was set up to transcend politics. The PUP promised that this was not the government they would be. They promised transparency, accountability, and good governance," said Barrow.

The conflict, as raised by the Opposition, comes from the fact that section 90(4) of the Constitution of Belize states: "When the Election and Boundaries Commission considers it necessary to increase the number of electoral divisions ... it shall make proposals to the National Assembly, and the National Assembly may enact a law to give effect to such proposals."

The Senate, within which Montejo represents the PUP administration, is a part of the National Assembly. Consequently, the Constitution's section-63 provision appears to be aimed at minimizing the likelihood of conflicts of interests, as well as limiting the potential for gerrymandering to occur.

Applied to Montejo's case, the senator would essentially be tasked with voting in the upper house on proposals for redistricting that he himself had overseen in the field on behalf of the incumbent government.



SOCIAL SECURITY BOARD

Public Notice of Investment

Notice is hereby given, pursuant to the Social Security Act, Chapter 44 of the Laws of Belize, Revised Edition 2020, that the Social Security Board, as per its Investment Framework, Section 49, has proposed to lend the sum of **Five Hundred Thousand Dollars (BZ\$500,000.00)** to Crop Solutions Ltd. for research and production of agrochemicals. The loan facility which has a term of eight (8) years is payable monthly at a rate of seven point five percent (7.50%) per annum on the declining balance.



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PM calls for an amendment to the Standing Orders to address Sista B's repeated absences

By Michelle Sutherland

At last week's sitting of the House of Representatives, Prime Minister John Briceño called for an amendment to the Standing Orders to address the repeated absence by Queen Square Area Representative Denise "Sista B" Barrow, who has missed 28 consecutive House Meetings.

In his argument to the House, Briceño pointed out that despite her repeated absences, Sista B continues to collect her salary.

"If she was not interested, then why did she put her name on a ballot? She could resign right now, you know, and

we have re-election right now. But I'm coming to the point that you are making. Madam Speaker, I am asking the Chairman that's responsible for the Standing Orders to make an amendment to the Standing Orders, so we can deal with any member that refuses to come to house meetings," said Briceño.

In defense of his colleague, Leader of the Opposition Moses "Shyne" Barrow responded to the Prime Minister by telling him to amend the standing orders if he has a problem with them. Barrow made it known that despite her absence his aunt is still complying with the standing orders which requires that



Queen Square Area Rep. Denise Barrow

she gives notice to the Speaker of the House of her absence who then excuses her.

"If the government objects to that, then they have the majority to change it and require that either she comes to the House or she doesn't," said Barrow.

While that is yet to be seen, it appears that Briceño has been keeping count of Sista B's absence, which according to him stands at 28. Briceño said that he finds Barrow's

repeated absence to be disrespectful to the House of Representatives, to the People of Queen Square, and to her colleagues in the opposition.

Standing Order 84 provides that a seat is vacated by a member where they are absent from the House for more than six consecutive sittings, within the same session. However, with such antiquated standing orders, the house has never held six consecutive sittings within 3 months.



Oración al Espíritu Santo

Espíritu Santo. Tú que me aclaras todo, que iluminas todo mis caminos para yo alcance mi ideal; tú que das el don divino de perdonar y olvidar el mal que me hacen y que en todos los instantes de mi vida estas conmigo, yo quiero en este corto diálogo agradecerte por todo y confirmar una vez más que nunca quiero separarme de ti, por mayor que sea la ilusión material! Deseo estar contigo y todos mis seres queridos por tu misericordia para estar conmigo y los míos. (La persona debiera rezar esta oración 3 días seguidos sin decir el pedido. Dentro de tres días será difícil que sea. Publicar en cuando se reciba la gracia.

Gracias Espíritu Santo.

R.M.L.



SOCIAL SECURITY BOARD

Public Notice of Investment

Notice is hereby given, pursuant to the Social Security Act, Chapter 44 of the Laws of Belize, Revised Edition 2020, that the Social Security Board, as per its Investment Framework, Section 49, has proposed to invest up to **Fifteen Million Dollars (BZ\$15,000,000.00)** in Series 1 Transformation Bonds being offered by the Belize Tourism Board (BTB). The net proceeds from the Bond issue will be used for various capital projects, marketing and tourism support. The Bonds have a term of ten (10) years and a coupon rate of 5.75% per annum payable semi-annually.

S U D O K U

Medium Puzzle

	2		7					8
			5			7		
	4							2
1			3					9
								4
3					7	2		1
8				7	2	9		
	9				5			
		3		9		1	4	

Sudoku rules are extremely easy: Fill all empty squares so that the numbers 1 to 9 appear once in each row, column and 3x3 box.

Tip.

Use a soft erasable pencil. Start with the easy puzzles, then move on to the harder ones. Make small pencilmarks to show which numbers are allowed in empty squares. This will come handy when analyzing techniques are used.

Never guess! Only make moves based on logical deductions. There is only one unique solution for each puzzle.

Answer to Puzzle

5	4	1	8	6	9	3	7	2
7	2	8	5	3	1	9	6	4
3	9	6	2	7	4	5	1	8
1	8	2	7	5	6	4	9	3
4	3	9	1	8	2	6	5	7
9	7	5	9	4	3	2	8	1
2	5	3	6	1	8	7	4	9
6	1	7	4	2	5	8	3	9
8	9	4	3	6	7	1	2	5



FUN FACTS!

Why you can smell rain



When those first drops of summer rain fall to the hot, dry ground, have you ever noticed a distinctive odor?

Of course rain itself has no scent. But moments before a rain event, an “earthy” smell known as petrichor does permeate the air. People call it musky, fresh – generally pleasant.

This smell actually comes from the moistening of the ground. Australian scientists first documented the process of petrichor formation in 1964.

Petrichor is a combination of fragrant chemical compounds. Some are from oils made by

plants. The main contributor to petrichor are actinobacteria. These tiny microorganisms can be found in rural and urban areas as well as in marine environments. They decompose dead or decaying organic matter into simple chemical compounds which can then become nutrients for plants and other organisms.

A byproduct of their activity is an organic compound called geosmin which contributes to the petrichor scent. Geosmin is a type of alcohol, like rubbing alcohol. Alcohol molecules tend to have a strong scent, but the complex chemical structure of

geosmin makes it especially noticeable to people even at extremely low levels. Our noses can detect just a few parts of geosmin per trillion of air molecules.

During a prolonged period of dryness when it has not rained for several days, the decomposition activity rate of the actinobacteria slows down. Just before it rains, the air becomes more humid and the ground moistens. This process helps to speed up the activity of the actinobacteria and more geosmin is formed.

When raindrops fall on the ground, especially porous surfaces such as loose soil or rough

concrete, they will splatter and eject tiny particles called aerosols. The geosmin and other petrichor compounds that may be present on the ground or dissolved within the raindrop are released in aerosol form and carried by the wind to surrounding areas. If the rainfall is heavy enough, the petrichor scent can travel rapidly downwind and alert people that rain is soon on the way.

The scent eventually goes away after the storm and the ground begins to dry. This leaves the actinobacteria lying in wait – ready to help us know when it might rain again.



Float on Salt??

DID YOU KNOW?

THE DEAD SEA IS SO DENSE WITH SALT, YOU CAN EASILY FLOAT ON IT WITHOUT DROWNING.

Lucky Woman!

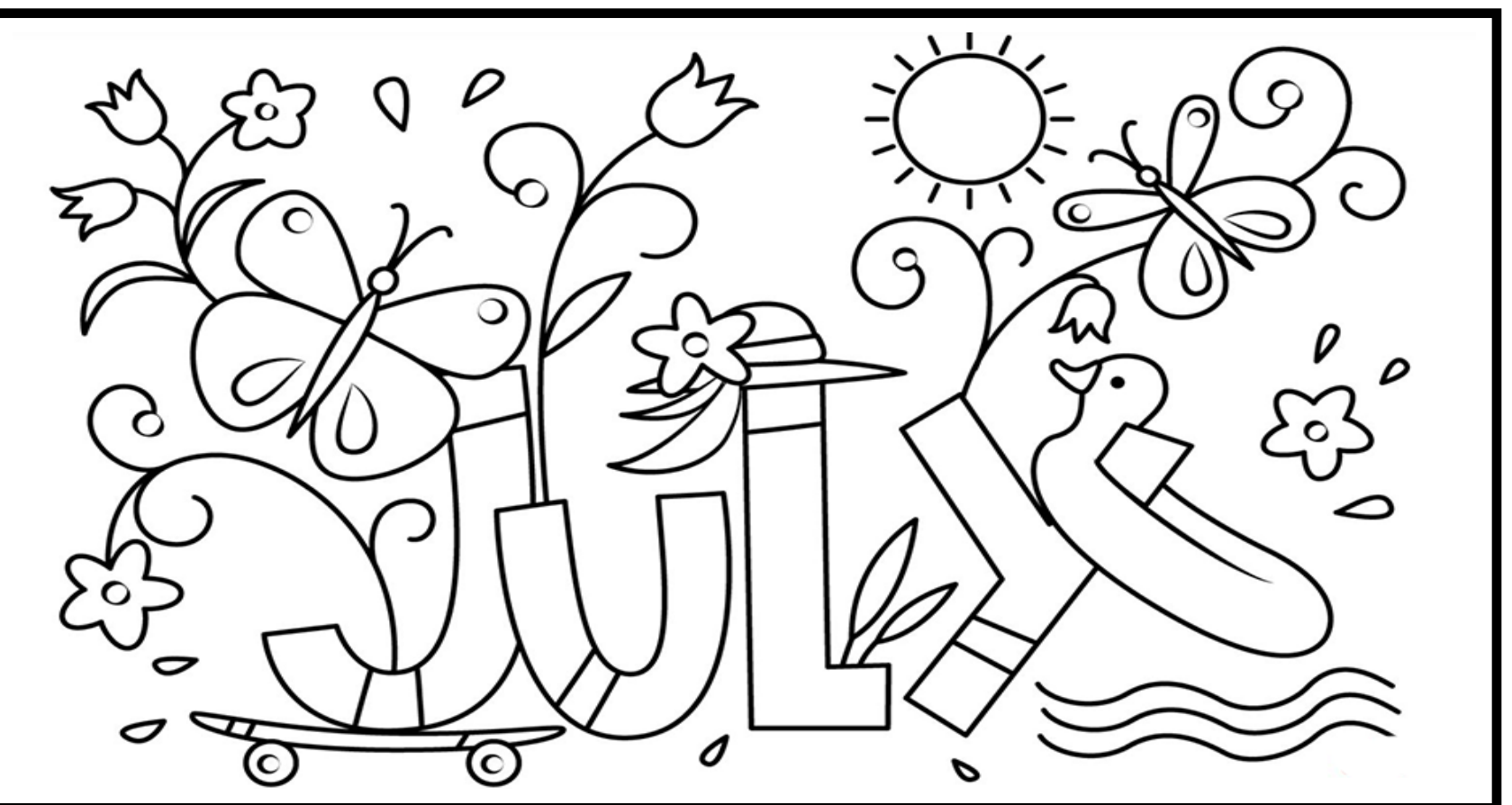
DID YOU KNOW ?

Violet Jessop, a ship nurse, served on each of the three ships: Titanic, Britannic and Olympic.

While she was on board, Olympic collided with a warship and sank. The Titanic hit an iceberg and sank. And the Britannic hit an underwater mine and sank.

She survived all three. Luckiest woman

COLORE ME





Daytime naps may be good for our brains, study says

Taking daytime naps may help maintain brain health as we age, according to a new study. However, prior research has shown that excess napping can also be harmful.

Habitual napping was linked with larger total brain volume, which is associated with a lower risk of dementia and other diseases, according to researchers from University College London (UCL) and the University of the Republic of Uruguay.

On average, the difference in brain volume between nappers and non-nappers was equivalent to 2.5 to 6.5 years of aging, researchers said.

“Our findings suggest that, for some people, short daytime naps may be a part of the puzzle that could help preserve the health of the brain as we get older,” said senior author Victoria Garfield, a senior research fellow at UCL, in a statement.

Excessive napping could be a sign of dementia, study finds

While the study was “well-conducted,” limitations include the fact that napping habits were self-reported, said Tara Spire-Jones, president of the British Neuroscience Association and deputy director of the Centre for Discovery Brain Sciences at the University of Edinburgh, who was not involved in the study.

The results show “a small but significant increase in brain volume in people who have a genetic signature associated with taking daytime naps,” she told the Science Media Centre.

“Even with those limitations, this study is interesting because it adds to the data indicating that sleep is important for brain health,” she said.

In response, lead study author Valentina Paz, a researcher at the University of the Republic of Uruguay and UCL, said she agreed “the work has some limitations,” but they’re “confident” in the method used in the study.

Statistical approach

In the study, published Monday in the journal *Sleep Health*, researchers used a technique called Mendelian randomization to analyze DNA samples and brain scans from 35,080 people aged 40 to 69 involved in the UK Biobank study, a large biomedical database and research resource that followed UK residents from 2006 to 2010.

Mendelian randomization is a statistical approach that uses genetics to provide information about the relationship between an exposure and outcome.

Researchers looked at sections of genetic code linked to people’s likelihood of regular napping and then compared brain health and cognition results between those with the napping genes and those without.

“By looking at genes set at birth, Mendelian randomisation avoids confounding factors occurring throughout life that may influence associations between napping and health outcomes,” said lead author Paz in the statement.

The study looked at more than 35,000 people aged 40-69.

However, such a technique can only show an association between nap and brain health, not cause and effect. In addition, researchers did not have information on nap duration, which



can impact whether sleep is helpful or harmful.

Paz said that previous findings suggest that “taking a short nap (5 to 15 minutes) in the early afternoon may benefit those needing it.”

Napping can be harmful too

Meanwhile, previous research has shown that frequent napping or regularly napping for extended periods during the day may be a sign of early dementia in older adults.

Elderly adults who napped at least once a day or more than an hour a day were 40% more likely to develop Alzheimer’s than those who did not nap daily or napped less than an hour a day, according to a study published in *Alzheimer’s and Dementia: The Journal of the Alzheimer’s Association*, in March 2022.

And in July 2022, a study found that people who often nap have a greater chance of developing high blood pressure and having a stroke.

Napping regularly linked to high blood pressure and stroke, study finds

Study participants who typically napped during the day were 12% more likely to develop

high blood pressure over time and were 24% more likely to have a stroke compared with people who never napped.

“This may be because, although taking a nap itself is not harmful, many people who take naps may do so because of poor sleep at night. Poor sleep at night is associated with poorer health, and naps are not enough to make up for that,” said clinical psychologist Michael Grandner in a statement at the time. Grandner directs the Behavioral Sleep Medicine Clinic at the Banner-University Medical Center in Tucson, Arizona, and was not involved in the study.

Excessive napping can be a sign of an underlying sleep disorder, said sleep specialist Dr. Raj Dasgupta, an associate professor of clinical medicine at the Keck School of Medicine at the University of Southern California, in an interview.

“Sleep disorders are linked to an increase in stress and weight regulation hormones which can lead to obesity, high blood pressure, type 2 diabetes – all risk factors for heart disease,” he said. “I do believe napping is a warning sign of an underlying sleep disorder in certain individuals.”



VACANCY

The Social Security Board invites applications from suitably qualified persons to fill the role of **INSPECTOR** at its Corozal and Independence Branches.

MINIMUM REQUIREMENTS:
Bachelor’s Degree in Business, Management, Business Administration, Criminology, or related discipline, with two (2) years working experience.
OR
Associate Degree in Business, Management, Business Administration, Criminology, or related discipline with three (3) years working experience.

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APPLICATION PROCEDURE:
Application packages containing application letter, resume, two (2) recent letters of recommendation, copy of degree, and other relevant academic credentials and current police record or receipt for record may be submitted via email to:

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Copy emails to: General Manager, Human Resources, SSB Headquarters, Belmopan at: odakers@socialsecurity.org.bz

Email subject line: “Application for Inspector”

APPLICATION DEADLINE: July 21, 2023



Guatemala court intervenes in presidential race, raising concern

After an unexpected finish to the first round of Guatemala's presidential election, the country's Constitutional Court has suspended its certification of the results, citing complaints from rival political parties.

But the temporary suspension has raised fears the court might overturn the outcome of the vote, threatening Guatemala's already fragile democracy.

"This is unprecedented," said Edgar Ortiz, a constitutional lawyer with the Guatemalan think tank Fundación Libertad y Desarrollo.

"Never in history has there been a problem with the vote count, much less one where the Constitutional Court — which has nothing to do with this — has intervened in the system."

The court's decision came late on Saturday in the wake of a surprise victory for the progres-

sive Seed Movement.

Its dark-horse candidate Bernardo Arevalo emerged from a crowded field to win one of two seats in the final round of the election, with 11.8 percent of the vote. The only candidate with more votes was conservative Sandra Torres of the National Unity of Hope (UNE) party, with 15.8 percent support.

But Arevalo's surprise upset provoked complaints from 10 political parties, including the UNE. They argue a "great quantity" of the votes show "inconsistencies, alterations and other discrepancies".

But according to Oswaldo Samayoa, a constitutional lawyer and professor at San Carlos University, none of the evidence presented by the par-

ties supports their arguments.

"There are around 600 of 24,000 polling stations that have to be reviewed to see if there were any disputes," Samayoa said. "The parties should have evidence of those disputes, but not one political party presented evidence of such irregularities."

Nevertheless, the Constitutional Court responded to the complaints with the suspension and a review of the vote tallies, which included congressional and municipal races as well as the presidential one.

Samayoa and Ortiz said they believe the review will not change the final match-up in the presidential contest. But, they warned, it could shift the results in lower-level contests, where the margins for victory were much

tighter.

In the mayoral race in Guatemala City, for instance, the incumbent earned only about 500 more votes than his closest competition.

Arevalo's Seed Movement, meanwhile, has failed to stop the election review. On Sunday, Guatemala's Supreme Electoral Council denied its request for an annulment of the process.

"It sets a completely negative and disastrous precedent for the rule of law in Guatemala," said Juan Guerrero, the Seed Movement's national poll observer.

Critics point out that at least six of the parties that issued complaints face cancellation after failing to obtain the minimum number of votes required to remain a legally recognized political party.

The pause in the

vote certification has prompted a backlash both in Guatemala and from international observers who fear the results could be overruled, shattering faith in the country's democracy.

On Sunday, the Organization of American States (OAS) dispatched observers and election experts to attend Guatemala's election review, to ensure "the will of the people expressed at the polls" is "respected".

The Guatemalan Foreign Ministry, however, responded to the concerns by calling on foreign governments to respect the country's sovereignty and not intervene in its domestic affairs.

But even within Guatemala's own borders, the court's decision sparked outcry and criticism in a race already marred by questions of corruption.

In the lead-up to the first round of voting,

three candidates — including a frontrunner in the polls — were disqualified based on errors in their paperwork and other alleged violations of electoral law.

Those decisions, also issued by the Constitutional Court, have undermined some voters' trust in the electoral system.

In the wake of Saturday's suspension, some voters took to social media platforms like TikTok to express their frustration, posting copies of the tallies publicly available on election transparency websites run by the government.

Their goal was to show there was no fraud in the June 25 elections.

The fate of the second round of the presidential election, scheduled for August 20, remains up in the air for now, as the court completes its review.

- Al Jazerra

UN Secretary calls for humanitarian help for Haiti

U.N. Secretary-General António Guterres visited Haiti on Saturday and again called on foreign governments with strong security forces to help the struggling country fight a surge in gang violence.

The appeal was made after Guterres met with Prime Minister Ariel Henry, civil society leaders, U.N. staff and the heads of various political parties during his one-day trip.

"Now is not the time to forget Haiti or weaken our solidarity with its people," he said.

Guterres met with reporters at Haiti's international airport in Port-au-Prince, who pressed him on whether an international security force would be deployed as requested by the prime minister last October.

Guterres said he spoke about the issue

with Henry, as well as the need to hold credible elections.

"I am not here to tell Haitians what to do. I am here to listen to them and to encourage them to build consensus as broadly as possible to move the transition process forward," he said.

Henry, who has been running the country since the July 2021 assassination of President Jovenel Moïse, has been under pressure to hold elections. But experts have noted it is impossible to do so given the current level of violence in the country, with gangs controlling an estimated 80% of the capital.

There are no democratically elected institutions left in Haiti, with the country failing to hold legislative

elections since October 2019.

"Haiti must return to democratic order as soon as possible," Guterres said.

He also said Haiti urgently needs more humanitarian aid as poverty deepens and starvation cases spike. Gangs are preventing the movement of goods and people and controlling access to water, food and health care as civilians attempt to fight back via a violent uprising.

"I felt all the exhaustion of a population that has been facing for too long a

cascade of crises and unsustainable living conditions," Guterres said. "One in two people in Haiti live in extreme poverty, face hunger and lack regular access to drinking water."

Guterres' visit came just days after the U.N.'s human rights expert in Haiti visited the country and also called for an international security force and a weapons embargo.

Guterres is scheduled to attend a summit Sunday in Trinidad and Tobago held by Caricom, a Caribbean trade bloc.

Emergency Numbers

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Ambulance	90
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Police	0/911
(Countrywide)	
Belize Coast Guard	225-2125
Crime Stoppers Inter'l	0-800-922-TIPS
Domestic Violence Unit	0-800-A WAY OUT
Child Abuse Hotline	0-800-PROTECT

El Salvadoran ex-President Mauricio Funes sentenced to 6 years for tax evasion

An El Salvador court sentenced former President Mauricio Funes Wednesday to six years in prison for tax evasion, the second time in barely more than a month that a court has sentenced the ex-leader in absentia.

Prosecutors had asked for an eight-year sentence against Funes, who lives in Nicaragua.

In late May, another tribunal sentenced Funes to 14 years in prison for negotiating with the country's powerful street gangs during his administration.

El Salvador has pursued Funes, 64, who governed from 2009 to 2014, for other alleged crimes in at least a half dozen cases.

Nicaragua gave him citizenship in 2019.

Funes is the second former Salvadoran president sentenced to prison for illegal activity during his administration. In 2018, former President Tony Saca was sentenced to 10 years in prison after pleading guilty to diverting more than \$300 million in state funds. He was Funes' predecessor, governing from 2004 to 2009.

El Salvador changed its laws last year to allow trials in absentia.

Prosecutors alleged Funes dodged about \$85,000 in taxes in 2014, his last year in office. The court ordered him to pay \$200,000 in fines and interest.



REQUEST FOR EXPRESSIONS OF INTEREST

Consultancy Services



Consultancy Services for the Implementation and Dissemination of the New Strategic Plan including the Planning and Execution of a Change Management Sensitization Campaign for the Belize Tax Service

Institution: Ministry of Finance
Country: BELIZE
Project: Strengthening of Tax Administration Project
Sector: Finance
Project No.: BL-L10315
Operation No: 4839/OC-BL
Deadline: Friday, July 21st, 2023, at 4:00 pm local Belize time

The Government of Belize (GOB) has received financing from the Inter-American Development Bank (IDB) for the execution of a five-year tax modernization project entitled "Strengthening of Tax Administration" (STA) (BL-L1031). The Ministry intends to apply a part of the proceeds towards the consultancy service for the Implementation and Dissemination of the New Strategic Plan including the Planning and Execution of a Change Management Sensitization Campaign for the Belize Tax Service.

Objective of the Consultancy:

The purpose of this consultancy is for the implementation and dissemination of the Strategic Plan for the Belize Tax Service based on the merged actions and operations of the consolidated tax departments (Department of General Sales Tax and Income Tax Department); and to drive the Change Management Plan and Execute a Change Management Sensitization Campaign to ensure a successful transition and adoption of the new Integrated Tax Administration System (ITAS) by all stakeholders.

The consulting services ("the services") includes the contracting of a Consultancy Firm for a period of ten (10) months to implement the newly developed strategic plan and develop and execute the change management sensitization campaign.

The Change Management sensitization campaign will focus on the people side of change to assist taxpayers in accepting and understanding the planned changes to business processes, systems and technology, job roles and organization structures and accountability framework.

The selected consultancy firm should have the following characteristics: The Firm

General Experience:

- The firm should demonstrate at least five (5) years' experience in similar assignment.

Specific Experience:

- At least five (5) years in the following areas below:
 - Implementation of Strategic Plans
 - Development of monitoring tool to measure key performance indicators
 - Development of change management strategies
 - Development of implementation plan for change management sensitization
 - Execution of change management sensitization
 - Development of communication material
 - Conducting workshops with staff and stakeholders
 - Conducting surveys to manage awareness
 - Staff training capacity

SKILLS, ABILITIES:

The selected firm will need to have or show:

- A solid understanding of how people go through a change and the processes involved.
- Experience and knowledge of change management principles, methodologies, and tools
- Ability to clearly articulate messages targeted to a variety of audiences
- Organized with a natural inclination for planning strategy and tactics
- Positive and professional approach to management
- Problem-solving and root-cause identification skills
- Experience with large-scale organizational change efforts

The firm should have but not be limited to the following Key Experts:

- Team Leader/Lead Consultant
- Communication Expert
- Implementation Expert

The Consultancy Firm specific objective will be.

- Develop and execute an implementation of the newly developed strategic plan
- Plan and develop the change management strategy and

- implementation plan
- Develop communication material for distribution to stakeholders
- Conduct change management sensitization workshops for stakeholders
- Manage taxpayer awareness and education

The Ministry of Finance now invites eligible Consultancy Firms ("Consultants") to indicate their interest in providing the services. Interested eligible Consultants must submit an Expression of Interest providing information demonstrating that they have the required qualifications and relevant experience to perform the services (description of similar assignments specifying start and end dates of assignments, experience in similar conditions, availability of appropriate skills, etc.). *The term "consultant" means a legally established professional consulting firm or an entity that may provide the services.*

Expression of Interest package should contain:

- Document explaining interest, experience, and competence of the consulting firm.
- Firms experience in the assignment of similar consultancy services during the past five years. Description of similar assignments specifying start and end dates of assignments.
- Firms evidence of past jobs. (These includes letters from the respective client on the job (s) carried out, or a copy of contract or agreement with the client including copy of the TOR).
- Proof of nationality: Copy of certificate of incorporation, information of shareholders of company specifying the shares owned by each respective shareholder of the company and a copy of documentation of nationality of the shareholders of the company.

Additional documentation required for National Consultants:

- Copy of Certificate of Good Standing from Belize Company Registry
- Copy of Certificate of Good Standing from the Social Security Board
- Copy of Certificate of Good Standing from the Belize Tax Service
- Copy of Current Trade License

Consulting firm will be selected in accordance with the Quality and Cost-Based Selection (QCBS) method set out in the Inter-American Development Bank: *Policies for the Selection and Contracting of Consultants financed by the Inter-American Development Bank (GN-2350-15)* and is open to all eligible consultants as defined in the IDB policies. The selection of the successful firm will be based on a competitive process among short-listed firms that takes into account the quality of the proposal and the cost of the service. **Only the short-listed firms will be asked to submit a technical and price proposal.**

Consultants may associate with other firms in the form of a joint venture or a sub-consultancy to enhance their qualifications. For the purpose of establishing the short list, the nationality of a firm is that of the country in which it is legally incorporated or constituted and in the case of Joint Venture, the nationality of the firm appointed to represent it.

Further information can be obtained at the address below during office hours **Monday to Friday 8:00 a.m. to 3:00 p.m. local Belize time.**

Interested consulting firms are asked to submit their expression of interest via e-mail to Michelle.Longsworth@bts.gov.bz and copied to tamara.tingling@mof.gov.bz marked **STAP- Implementation and Dissemination of the New Strategic Plan including the Planning and Execution of a Change Management Sensitization Campaign for the Belize Tax Service** in the subject header, or submit hard copy on or before **4:00 p.m. (local Belize time) on Friday, July 21st, 2023**, to the following address:

**Director General
 Belize Tax Service
 Strengthening of Tax Administration Project
 Eleanor Hall Building
 Chetumal Street, Lake I, Belize City
 Tel: 501-222-5114**

For clarifications kindly contact:

**Procurement Specialist
 Project Executing Unit
 Strengthening of Tax Administration Project
 Eleanor Hall Building
 Chetumal Street, Lake I, Belize City
 Tel: 501-222-5114/E-mail: tamara.tingling@mof.gov.bz**

RES PUBLICA 360

Constitutionally Enshrined Checks and Balances Part 1

By Dyon A. Elliott

As I had mentioned in an earlier installment of this series on “Checks and Balances”, the empirical literature has shown that Parliamentary systems appear to have an advantage over their presidential counterparts. Among works cited was McManus and Ozkan (2017). The duo’s work reconfirmed the Parliamentary systems superior performance on key economic indicators such as inflation, growth and (reducing) inequality.

But McManus and Ozkan are not alone. Mainwaring and Shugart (1997)—while acknowledging the ostensibly inherent advantages of Parliamentary systems—underscored the roles



played by institutional factors as it pertains to mitigating the harmful tendencies of presidential

systems. They wrote:

“Presidential systems can be designed to function more effectively than they usually have. We have argued that providing the president with limited legislative power, encouraging the formation of parties that are reasonably disciplined in the legislature, and preventing extreme fragmentation of the party system enhance the viability of presidentialism. [The literature] clearly recognizes that not any kind of parliamentarism will do. We make the same point about Presidentialism.”

Clearly, Mainwaring and Shugart acknowledge the general findings regarding Parliamentary system’s superiority in terms of democratic and constitutional continuity, but they find a point of difference with the idea of wholesale dominance. They make the case (as do McManus and Ozkan) that the minor details do matter. Mainwaring and Shugart eloquently captured this point as follows:

“Even if parliamentary government is more conducive to stable democracy, much rests on what kind of Parliamentary and Presidentialism is implemented.”

This is a salient point, as it would be a fallacy to not emphasize that the systems are not dichotomous. It would be more advantageous to view the space between Parliamentary and Presidentialism along a spectrum as opposed to some rigid or binary conceptualization of two disparate systems that are completely detached from each other. Consequently, this demands a more idiosyncratic look at regimes’ designs. For example, as stated earlier, the USA-styled presidential system overcomes the predicted “perils” by instituting robust checks and balances and other fundamental and democracy-preserving institutions.

A Special Look at the World’s Leading Democracy

With the foregoing points in mind, there is value in doing a close look at the Checks and Balances built into the world’s leading democracy: The United States of America. This “closer look” is deemed useful for two reasons: (1) In the constitutional reform process, there is already signs that many Belizeans are intrigued at the prospect of becoming a presidential republic, and (2), as stated earlier, the USA is a well-known case study of a presidential regime that has overcome the so-called “perils of Presidentialism” (Linz, 1990).

This Part 1 on Checks and Balances begins with an overview of such structures that provide the Legislature with checks over itself and other branches of government (the Executive and Judiciary). In next week’s *Res Publica360*, we will then look at the analogous features in a Belize.

Legislative Checks on Executive: Veto and Counter-Veto Powers

Let us take the counter-veto powers of the Legislature. Under the US Constitution, the President has the authority to “veto” Bills by refusing to sign them into law. The President’s “veto” is a form of Executive check on the Legislature; however, as Article 1(7) of the US Constitution demonstrates, this “check” has its own counterbalance:

“Every Bill which shall have passed the House of Representatives and the Senate, shall, before it



G. A. Roe & Sons Ltd.

JOB OPPORTUNITY

G. A. Roe & Sons Ltd. is seeking a skilled individual to join our team. Applications are now open for the position of **Business Intelligence Analyst**, offering an exciting opportunity for professional growth within our dynamic organization.

MINIMUM QUALIFICATION REQUIREMENTS

- Bachelor’s Degree in Economics, Mathematics, or Computer Science/Information Systems with experience in business.
- Proven work experience as a Data/Financial Analyst or similar role.

DUTIES & RESPONSIBILITIES

- Research, collect, analyze, and interpret various industry and company data and large data sets from various sources, including internal databases, external market data, and industry reports.
- Collect data on, interpret, analyze, and report on existing investments and potential investment opportunities.
- Using data insights, make recommendations that impact key business decisions in areas such as finance, investments, marketing, sales, and operations.
- Develop and implement a competitive intelligence (CI) program, oversee CI strategy, and stay current on industry trends, competitor strategies, and relevant market changes.

KNOWLEDGE AND SKILLS

- Expert knowledge of SQL, Excel, and Business Intelligence software tools such as Tableau, Power BI, etc., and aptitude to learn other analytical tools.
- Comprehensive programming skills and experience with frameworks including XML, JavaScript, and ETL.
- Strong data mining, evaluation, analysis, and visualization skills
- Technical writing experience in relevant areas, including queries, reports, and presentations.

KEY COMPETENCIES & ATTITUDES

- Confidentiality, innovation, project management, quantitative reasoning, self-starter, critical thinking, and problem-solving.

Submit application along with two professional letters of reference (preferably one from a most recent employer) with a copy of a police record/receipt to:

vacancy@roesons.com No later than **11th July 2023**

Place in the subject: Business Intelligence Analyst

Only shortlisted candidates will be contacted for an interview.

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Constitutionally Enshrined Checks and Balances Part 1

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TABLE 1—THE LEGISLATIVE BRANCH'S CHECKS ON ALL THREE BRANCHES OF GOVERNMENT

LEGISLATIVE BRANCH CHECKS ON:		
The Executive Branch	The Legislature Itself	The Judiciary
<ul style="list-style-type: none"> Impeachment Vote by Lower House; Impeachment Trial by Senate; Power to override (via super majority in both Houses) the President's "Veto" of a Bill; The Senate reviews selections for Executive offices; Senate approves Treaties put forward by the President; Senate must vote on replacement vice-president; Have oversight of Executive spending via General Accounting Office; Legislature must approve Budget put forward by Executive; Legislature's power of taxes is an oversight of Executive's spending agenda; 	<ul style="list-style-type: none"> Proposed Bills must be accepted by both the Lower and Upper Houses of Congress; Revenue Bills originate from the Lower House; Adjournments of either the Lower or Upper house for more than three days must be consented to by the other; General Accounting Office can subpoena documents from Congress; Congress can discipline its own members via expulsion, removal from assigned committees; 	<ul style="list-style-type: none"> Senate approves federal judges; Power to impeach judges and remove them from the bench; Power to confirm Supreme-Court justices nominated by the President; Power to establish Courts that are inferior to the Supreme Court; Power to set courts jurisdictions; Power to alter the size of the Supreme Court

become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law."

As the text from the US Constitution shows, it is possible for the "vetoed" Bill to be passed into law, if it is that each House votes for the Bill by at least a two-third majority. The quoted clause above is known as the "Presentment Clause" and, at its core, it presumably seeks to provide sufficient protections against Bills that are disconnected from the will of the people by providing sufficient grounds for consideration by both powers: the Executive and the Legislature. As the US Congress' official website explains, there is as an additional check on this veto power Executive power:

"When Congress is in session, a President who wishes to veto a bill must return the bill to the Chamber in which it originated within ten days (excepting Sundays) of when the bill is presented to him. If Congress approves a bill and sends it to the President, then adjourns before the ten days elapse, the President can prevent the bill from becoming law simply by declining to sign it, sometimes called a 'pocket veto.' If the President blocks legislation by pocket veto, Congress cannot later override the veto—instead, the legislature must reintroduce the Bill and enact it again."

Fundamentally, the President cannot simply "stonewall" a bill by not signing it within the ten-day window, as should such time elapse the bill shall pass as if it was signed. Importantly, while "All Legislative powers" reside with the Legislature, the interplay between the Executive and the houses of Congress provide checks and counterchecks on this power.

This, of course, is not a statement to say that the above is the preferred design. The question that is more relevant is regarding effects and outcomes: That is, the checks achieved on the Executive and Legislature when passing Bills.

The question the reader should ask here (and for each of the examples shown below) is this: **How is the similar oversight achieved in our system?** Is there a mechanism of checks and counter checks between the Executive and Legislative in a Parliamentary system as found in Belize? This is where we will pick up in the next *Res Publica*360.

Legislative Checks on Executive: Appointment of Members of the Executive

Returning to the USA example, the Legislature, via the Senate, has yet another oversight function over the Executive: The consenting to official appointments. The US Constitution's Article 2(1) puts this oversight in the hand of its Senate:

"He [The President] shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for; and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments."

We saw this (the "Appointments Clause") in action a few years ago when the (at the time of writing) current Secretary of State Anthony Blinken's approval was approved by an overwhelming majority of US Senators—78 votes in favor and only 22 against.

Now it must be stated that the Appointments


Clause has not been without its own legal controversies and debates, particularly, over the distinction between principal and "inferior" officers, and where the Congress's power begins and ends in this regard. However, such a discussion is beyond the scope of this work. Here, it is suffice only to say that the Judiciary does play a role in this Check and Balance component by providing judicial rulings and interpretations that inform practice.

Again, how is the similar "effect" achieved in our system? Does the legislature have any real oversight in the appointments of ministers and/or other members of the executive or the Courts?


Legislative Checks on Executive: Budget and Accountability

Another area that the Legislature exercises oversight is regarding the approval of expenditure and revenues (the Budget) as well as how those authorized spending are managed. While this function is expounded upon and operationalized by various pieces of legislation—such as the

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CENTRAL BANK
Hon Kareem Musa
of BELIZE



CAREER OPPORTUNITY

LEGAL OFFICER

The Central Bank of Belize invites qualified individuals to join the Office of the Governor.

The Legal Officer provides leadership and direction on legal and regulatory matters. The Legal Officer is principally responsible to provide counsel on matters pertaining to corporate governance, compliance with regulations, contract negotiations, etc.; to ensure that legal affairs are managed appropriately and in accordance with relevant laws and regulations; and to coordinate with counsel representation. The Legal Officer will:

- Review, research, and analyze applicable laws, regulations, and cases related to the financial sector in Belize and provide general legal advice to the Central Bank in the exercise of its functions;
- Prepare legal briefs, updates, and opinions on issues related to the interpretation of applicable laws and regulations and compliance with/to the legal requirements;
- Advise on areas of legal reform in pursuit of the Central Bank's mission;
- Analyze the Central Bank's decisions and actions regularly to identify potential legal risks and recommend alternative course of action to mitigate such risks;
- Assist with drafting legal documents, amendments, and legislations;
- Consult with the Office of the Attorney General and other government agencies on issues pertaining to the drafting of legislation and other relevant matters;
- Prepare and vet legal documents, including the review and negotiation of contracts and union agreements;
- Review legal documents and court filings to determine whether they have legal merit;
- File legal documents;
- Draft and review internal and external communique;
- Serve as the Secretary to the Central Bank's Board of Directors; and
- Perform other duties that may be assigned from time to time by the Governor or his designate.

The Applicant should possess the following:

EDUCATION AND EXPERIENCE

- A Bachelor of Laws Degree and legal education certificate or equivalent with at least three (3) years' working experience in the legal field, including experience in legislative drafting.

TECHNICAL KNOWLEDGE

- Possesses sound and thorough knowledge of domestic law and legal proceedings; experience in the preparation of contracts and other legal documents; demonstrated ability to create legal defensive strategies.

COMPETENCIES

- Communication Skills, Persuasive Writing and Speaking, Relationship Management, Managerial and Leadership Skills, Professional Ethics, Strong Negotiation Skills, Attention to Details, Global Perspective, Analytical Skills, Research Techniques, Results Oriented, Decisive, Adaptable.

SALARY & BENEFITS

- The remuneration package is negotiable. An employee is required to be on probation for six months to confirm suitability for the position.

Submit the following documents by **Wednesday, 12 July 2023**:

- Central Bank Employment Application Form (available online)
- Curriculum Vitae
- Two (2) references (one must be from previous employer)
- Certified copies of university transcripts, degrees, and any other professional certificates

Applications should be addressed to:

Manager, Human Resources Department
Central Bank of Belize
P. O. Box 852 or Gabourel Lane, Belize City, BELIZE

Ref: Legal Officer- Office of the Governor
Email: hr@centralbank.org.bz or online at www.centralbank.org.bz
(All applications will be held in strict confidence)

Constitutionally Enshrined Checks and Balances Part 1

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Budget and Accounting Act of 1921 that, *inter alia*, gives life to the General Accounting Office—the US Constitution explicitly provided for this check and balance mechanism at Article 1(9):

“No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.”

Regular news consumers would recognize this feature of the Legislature’s oversight powers, as this is the bedrock of the fairly regular spending debates that have been known to result in deadlocks that have triggered or threatened government shutdowns (or more formally “Funding Gaps”). Where such funding gaps occur, the lack of authorized appropriations would lead to non-essential (discretionary) departments being unable to pay workers, and given certain laws those workers may have to

be temporarily sent home or asked to continue working without pay.

Of course, looking at “government shutdowns” in the USA may signal that maybe this is a design worth avoiding. It has been debated whether this characteristic of the USA’s check and balance apparatus is truly helpful, as at times extreme partisan-political divide can result in such stalemates that can have knock-on effects on the larger macroeconomy.

Conversely, the opposite extreme is what exists in Belize, where such lockjams are likely to never occur and thus spending and debt levels have been allowed to increase over the years with little Constitutionally-embedded means to pause an Appropriations Bill. The Senate, for its part, is explicitly limited in its powers to delay Money Bills, which includes the Appropriations Bill. Furthermore, because in a Parliamentary system the Executive is derived from the Majority in the House of Representatives, then the “funding gap” phenomenon is structurally an unlikely occurrence. Actually, given that such “funding

gap” in a Parliamentary system is so rare that when it does occur it is often treated as a type of “Confidence” vote in the Prime Minister, a matter to which we shall return later.

Legislative Checks on Itself: Consent of Both Houses on Bills

There is merit with us also looking at how the Legislature checks itself. This is achieved by the fact that Bills must be approved by both the Upper and Lower houses of Congress. This feature is established at Article 1(7), and makes no general qualifications, save only for the so-called “Origination Clause” that has to do with Bills for raising revenues, which essentially (and for historical reasons) place the power to “originate” such bills with the Lower House. The Senate could, however, propose or make amendments.

A similar structure exists in Belize, with the Belize Constitution expressly limiting “Money Bills” to the purview of the Lower House.

Belize’s Legislature is likewise bicameral in nature, but as will be discussed later, it is better described as having bicameral asymmetry between both houses, with the Lower House clearly having more power than the upper chamber. Section 79 of the Belize Constitution does set it such that the Upper House can delay a Bill, but if there is enough persistence and patience, the Senate cannot completely stop a Bill from proceeding. We will discuss this in more details in later installments in this series.

Legislative Checks on Judiciary: Power to Impeach Judges

Lastly, the Legislative Branch also has some oversight functions that are relevant to the judiciary. We had already discussed that appointments of judges are to be consented to by the US Senate; however, it must be noted that there is also the power to impeach said justices: “The Senate shall have the sole Power to try all Impeachments.” This function is best articulated by the US Congress:

“The Constitution confers upon Congress the power to impeach and thereafter remove from office the President, Vice President, and other federal officers—including judges—on account of treason, bribery, or other high crimes and misdemeanors. In exercising this power, the House and the Senate have distinct responsibilities, with the House determining whether to impeach and, if impeachment occurs, the Senate deciding whether to convict the person and remove him or her from office.”

As has been the running question throughout this column, is this an “outcome” achieved in our system? What is the Parliamentary equivalent of this type of oversight by the Legislature over the Judiciary? These are the type of considerations we will be making as we proceed in this Check and Balance series.

References:

Richard McManus and F Gulcin Ozkan, “Who does better for the economy? President versus Parliamentary Democracies,” University of York, (2017), <https://www.york.ac.uk/media/economics/documents/discussionpapers/2017/1703.pdf> (Accessed February 26, 2023).

Scott Mainwaring and Matthew Shugar, “Juan Linz, Presidentialism, and Democracy,” *Comparative Politics*, (1997), <https://www.jstor.org/stable/422014?origin=JSTOR-pdf>

Juan Linz, “Perils of Presidentialism,” *Journal of Democracy*, (1990).

Disclaimer: the opinions expressed by our columnists are theirs alone, and are not necessarily reflective of the newspaper’s stance on the issues touched. We believe it is critical that our columnists be allowed freedom to generate discussion through their expressions on any number of topics.



VACANCY ANNOUNCEMENT

The Pan American Health Organization/World Health Organization (PAHO/WHO) invites applicants for the function of National Consultant to support the Strengthening Climate Resilient Health Systems Project

Duty station: Belize City

Qualifications: *Essential:* A bachelor’s degree in Environmental Science or Public Health from a recognized university

Desirable: A master’s degree in environmental studies, Climate, or related field

Experience: *Essential:* At least 5 years of national experience in public health, environmental health, climate change or related field

Skills:

- Evidence of experience in climate change and health-related issues
- Experience in data collection and analysis
- Strong research, problem-solving and organizational skills.
- Ability to work collaboratively (in person or virtually) with other team players.
- Excellent communication and interpersonal skills and sensitivity to political and cultural issues
- Ability to work in multisectoral teams and under pressure.
- Ability to meet deadlines.
- Strong professional oral and writing skills, including the development of reports, oral presentations, and technical/persuasive documents for consideration at the highest levels of the Organization.
- Demonstrated ability to effectively use a computer and utilize software programs such as Microsoft Office Word, Excel, PowerPoint, SharePoint, and Outlook. Other IT skills and knowledge of other software programs for Statistical Analysis, Data Exploratory Analysis and Project Management would be an asset.

Languages: Very good knowledge of English and working knowledge of Spanish

Deadline: Letter of application, Curriculum Vitae, and two current letters of recommendation should be sent to blzmail@paho.org or to P.O. Box 1834, Belize City no later than **July 14, 2023**

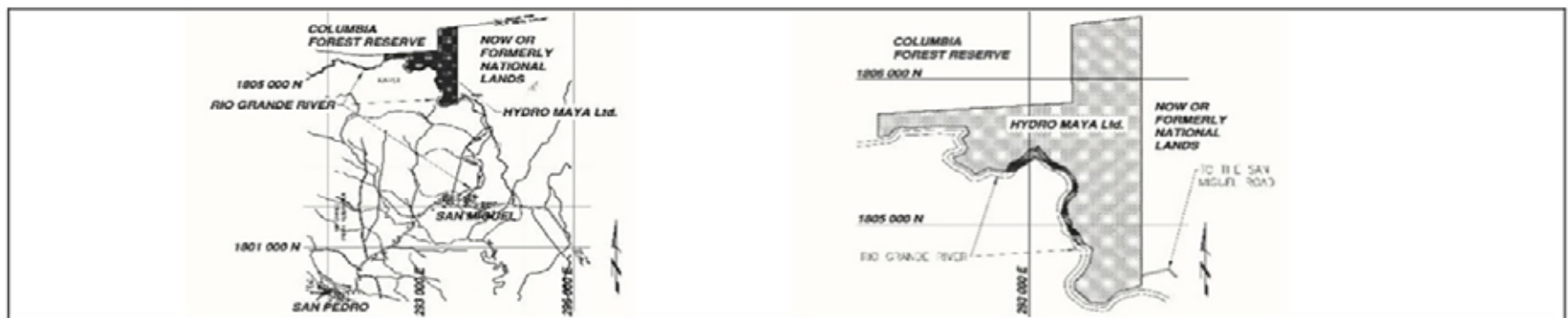
For further details visit our website <https://www.paho.org/en/vacancies> An interview will be held for this position and only candidates under serious consideration will be contacted. PAHO/WHO has a smoke-free environment and does not recruit smokers or users of any form of tobacco.

PUBLIC NOTICE

Application for Licence under Electricity Act

HYDRO MAYA LIMITED OF 11 C STREET KINGS PARK, BELIZE CITY, BELIZE A COMPANY REGISTERED AND INCORPORATED IN BELIZE, hereby serves notice to the general public that it has applied for a **LICENCE** from the **PUBLIC UTILITIES COMMISSION (PUC)** to generate electricity subject to any approved Power Purchase Agreement. Pursuant to Section 14 (3) of the Belize Electricity Act, a copy of the application is published below:

Public Utilities Commission Application for Licence under Electricity Act	
Application on behalf of:	Hydro Maya Limited
Certificate of Incorporation Number:	Incorporation No. 3890 Registration Number :000025770
Purpose of Licence:	Power Generation
Authorized Area of Supply requested	Does not provide direct consumer sales, instead interconnects to BEL transmission system for eventual distribution.
Generation Facilities:	Renewal of Licence for Rio Grande Hydroelectric Project in Toledo District.
Transmission Facilities:	Existing Interconnection and Transmission Facilities for connection of Rio Grande Hydroelectric Project to BEL transmission system.
Contact Information:	Name: Philip Penner Position/Title: Manager Phone Number: 6100540 Email Address: pennerphilip@hotmail.com
Registered Office (Address):	11 C Street, Kings Park, Belize City, Belize
Name of Signatory:	Ted S. Sorenson
Declaration:	
I hereby certify that the information contained in this application is true to best of my knowledge, information belief:	
Signature: _____	Date: July 3 rd , 2023



Supporting Documents and Information:

In addition to the application published above, supporting documents and information related to the proposed operations of Hydro Maya Limited as prescribed by the PUC were included in its submission.

Viewing of Application and Supporting Documents and Information:

The application and supporting documents and information may be viewed in their entirety at:

- | | |
|---|--|
| <p>a) Hydro Maya Limited
11 C Street, Kings Park
Belize City, Belize</p> | <p>b) PUC Office
2nd Floor Marina Towers
Belize City, Belize</p> |
|---|--|

Issued by Hydro Maya Limited on July, 3rd, 2023